

Memorandum

To: Chairman and Commissioners

Date: July 13, 2000

From: Robert I. Remen

File No:

BOOK ITEM 4.12
INFORMATION

Ref: Adoption of Amendments to STIP Guidelines

Issue: How shall the Commission amend its STIP Guidelines prior to programming for the 2000 STIP?

Recommendation: Commission staff has developed the attached draft amendments adoption at the July meeting. This draft includes changes made in response to comments received from the Commission and regional agencies. They also incorporate the Advance Project Development Element guidelines (adopted November 1999) into the STIP Guidelines for further clarity.

Background: The Commission has, in accordance with statute, adopted guidelines for the development, adoption, and amendment of the State Transportation Improvement Program (STIP). The full guidelines were last amended in September 1999, supplemented by guidelines for the Advance Project Development Element adopted in November 1999. At its June 2000 meeting, the Commission adopted a Revised Fund Estimate providing \$1.025 billion in new STIP programming capacity and approved a schedule for adoption of the 2000 STIP by December 2000. At the same meeting, the Commission provided public notice of proposed amendments to the STIP Guidelines to govern this new programming schedule. The statutes specify that the Commission's STIP Guidelines are not to be amended or altered during the period from 30 days after the adoption of a fund estimate until the adoption of the STIP. The guidelines themselves specify that the Commission will adopt amendments only after giving notice and conducting at least one public hearing.

Summary: The proposed guideline amendments include the following provisions:

- Environmental only projects. Would add language to Section 15 to clarify and emphasize the Commission's recognition of the benefit of programming projects for environmental work only.
- Advance project development element. Would incorporate the Advance Project Development Element guidelines, as adopted in November 1999, into the STIP Guidelines as sections 37-42. They are unchanged in meaning and scope.
- Local road rehabilitation project scope. Would add language to existing Section 37 (now renumbered 43) to define the scope of local road rehabilitation projects to include adjacent and nearby streets and roads, in keeping with the Commission's intent that agencies be

allowed flexible project scopes within fixed project costs for rehabilitation projects. This language has been changed from the June draft, which would have encouraged project scopes covering rehabilitation work anywhere within a local agency's jurisdiction. In response to a concern raised by regional agencies, additional language has also been added to subdivision (e) of this section to clarify that projects off the Federal-aid system would require state-only funding, which may be limited.

- 2000 STIP schedule. Would add a new Section 69A to outline the schedule for the 2000 STIP, with adoption scheduled for the December 5-6, 2000 meeting. This is the schedule adopted at the Commission's June 2000 meeting.
- Accelerated programming. Would add a new Section 69B to permit the programming and allocation of STIP funds from the revised fund estimate for ready-to-go projects prior to the December STIP adoption, noting the Commission's intent that the funding and delivery of projects not be delayed by the programming process itself.
- Special circumstances. Would add a new Section 69C to recognize the special circumstances pertaining to the budgeting and designation of General Funds for transportation, stating the Commission's intent to consider these circumstances and, where appropriate, to leave STIP funds unprogrammed for a time to allow adequate consideration of funding options for the designated projects. This language has been added in response to concerns raised by regional agencies at the June 2000 meeting.

Attachment

PROPOSED AMENDMENTS TO STIP GUIDELINES

Amend Section 15 to read:

15. ~~Full and Partial Funding.~~ ***Programming Project Components Sequentially.*** Project components may be programmed sequentially. That is, a project may be programmed for ~~project development~~ ***environmental work only without being programmed for plans, specifications, and estimates (design).*** A project may be programmed for design without being programmed for right-of-way or construction. A project may be programmed for right-of-way without being programmed for construction. ***The Commission recognizes a particular benefit in programming projects for environmental work only, since projects costs and particularly project scheduling often cannot be determined with meaningful accuracy until environmental studies have been completed. The premature programming of post-environmental components can needlessly tie up STIP programming resources while other transportation needs go unmet.*** ~~However, the~~

The Commission will program a project component only if it finds that the component itself is fully funded, either from STIP funds or from other committed funds. The Commission will regard non-STIP funds as committed when the agency with discretionary authority over the funds has made its commitment to the project by ordinance or resolution. For Federal formula funds, including RSTP, CMAQ, and Federal formula transit funds, the commitment may be by Federal TIP adoption. For Federal discretionary funds, the commitment may be by Federal approval of a full funding grant agreement or by grant approval.

~~Before~~ ***When*** proposing to program a project's ***only preconstruction*** components ~~sequentially for a project~~, Caltrans or the regional agency should demonstrate the means by which it intends to fund the construction of a useable segment, consistent with the regional transportation plan or the Caltrans interregional transportation strategic plan.

All regional agencies with rail transit projects shall submit full funding plans describing each overall project and/or useable project segment. Each plan shall list Federal, State, and local funding categories by fiscal year over the time-frame that funding is sought, including funding for initial operating costs. Moreover, should the project schedule exceed the funding horizon, then the amount needed beyond what is currently requested shall be indicated. This information may be incorporated in the project fact sheets (see section 39 of these guidelines).

~~The Commission will regard non-STIP funds as committed when the agency with discretionary authority over the funds has made its commitment to the project by ordinance or resolution. For Federal formula funds, including RSTP, CMAQ, and Federal formula transit funds, the commitment may be by Federal TIP adoption. For Federal discretionary funds, the commitment may be by Federal approval of a full funding grant agreement or by grant approval.~~

Incorporate the Advance Project Development Guidelines (adopted November 1999) into the STIP Guidelines, renumbering them 37-42 and renumbering all following sections accordingly, to read:

- 1 37. Amended Fund Estimate *for Advance Project Development Element*. ~~The amended 2000 STIP Fund Estimate identifies \$375 million as~~ *Each fund estimate will identify* the amount available pursuant to subdivision (c) of Section 14529.01 of the Government Code for the 2000 STIP Advance Project Development Element (APDE), with county and interregional shares as identified ~~in the attached summary separately~~. These APDE amounts are above and beyond the amounts identified ~~in the initial Fund Estimate as regular programming capacity~~. ~~Since the initial Fund Estimate called for no new programming capacity, the Advance Project Development Element amount is the sole new programming capacity for the 2000 STIP Fund Estimate. The APDE does not change the status of carryover county share balances, which remain available for any STIP purpose.~~
- 2 38. Programming of APDE County and Interregional Shares. Regions and Caltrans may propose projects from their respective county and interregional APDE shares in the RTIPs and ITIP, and they may propose joint regional and interregional APDE funding for a project. The proposal and adoption of projects will be the same as for other STIP projects, except that projects to be programmed through the APDE are limited to the two STIP project development components: (1) environmental and permits and (2) plans, specifications, and estimates. Projects may not be programmed through the APDE if they are simultaneously programmed for acquisition of right-of-way (including support) or construction from regular STIP programming capacity. Project development work already programmed in the STIP may not be shifted to the APDE.
- 3 39. Program Year. APDE projects will be proposed for programming and adopted into the STIP and allocated in the same manner as other STIP projects. They may be proposed for any of the STIP's four fiscal years. APDE local projects, when programmed, are subject to the STIP's timely use of funds provisions.
- 4 40. Program Amendments. APDE projects may be amended into the STIP at any time ~~after the initial adoption of the 2000 STIP~~ in the same manner as other STIP amendments. The amendments will identify the county or interregional APDE share from which the projects are to be funded.
- 5 41. Effect on Regular County and Interregional Shares. APDE programming will be treated as an advance of regular future county or interregional share, although every county, including a county in a region over 1 million population, is eligible for APDE programming. If all or a portion of any county or interregional APDE share is not programmed, that amount will become available to program for any STIP purpose in the next STIP. Amounts that are programmed in the current STIP from a APDE share will be deducted from the regular county or interregional share for the next STIP. The Fund Estimate for the next STIP will include a new APDE fund estimate with new county and interregional APDE shares.
- 6 42. APDE Shares May Not Be Exceeded. The programming of a county or interregional APDE share may not exceed the amount identified in the Fund Estimate. A county or interregional APDE share may not be loaned or advanced. However, regional agencies that have agreed to pool their regular county shares (Section 28 of the STIP Guidelines) may also pool their APDE shares. Any region may choose to program project development work from its regular STIP county share.

Amend Section 37 (renumbered 43) to read:

3743. Project Description. The STIP will include the following information for each project, which should be included in the RTIP or ITIP proposing the project:

- (a) The name of the agency responsible for project implementation.
- (b) The project title, which should include a brief nontechnical description of the project location and limits (community name, street name, etc.), and a phrase describing the type and scope of the project. ~~Where an agency proposes a project for rehabilitation of local streets and roads, the Commission encourages the agency to describe the project simply in terms of the jurisdiction of the city or county rather than name individual streets and roads, thus providing greater flexibility in project scope.~~ By definition, the Commission will regard the limits for a rehabilitation project on local streets and roads as including adjacent or nearby streets and roads, thus providing greater flexibility in project scope.
- (c) A unique project identification number provided by Caltrans.
- (d) For projects on the State highway system, the route number and post-mile (or post-kilometer) limits.
- (e) Any appropriate funding restriction or designation, including projects requiring state-only funding or projects requiring Federal funds through the State Highway Account. Agencies proposing projects requiring state-only funding (including street and road projects off Federal aid systems) should recognize that the availability of state-only funding may be limited.
- (f) The source and amounts of local or other non-STIP funds, if any, committed to the project.

After Section 63 (now renumbered 69), add the following:

69A. 2000 STIP Schedule. *The Commission will approve the 2000 STIP according to the following special schedule:*

<i>CTC adopts Revised Fund Estimate.</i>	<i>June 14-15, 2000 meeting.</i>
<i>Regions submit RTIPs.</i>	<i>By September 29, 2000.</i>
<i>Caltrans submits ITIP.</i>	<i>By September 29, 2000.</i>
<i>CTC STIP hearings.</i>	<i>Oct. – Nov. 2000, to be scheduled.</i>
<i>CTC publishes staff recommendations.</i>	<i>November 16, 2000.</i>
<i>CTC adopts 2000 STIP.</i>	<i>December 5-6, 2000 meeting.</i>

69B. Accelerated Programming. *It is the Commission's intent that the funding and delivery of potential STIP projects not be delayed by the special schedule for the 2000 STIP. Therefore, the Commission will consider approval of STIP amendments and allocations using the funds made available by the Revised 2000 Fund Estimate immediately, provided that the projects or project components proposed for amendment are ready for allocation at the time of the amendment. This provision shall apply until the adoption of the 2000 STIP.*

69C. Special Circumstances. *The Commission recognizes the special circumstances pertaining to the budgeting and designation of State General Fund revenues for transportation projects, including the need to complement this project funding with STIP funds from either or both the regional and interregional improvement programs. The Commission intends to consider these circumstances in adopting the 2000 STIP and may, where it finds it appropriate, leave STIP*

funds unprogrammed for a time to allow adequate consideration of funding options for the designated projects. The Commission particularly encourages Caltrans and the regional agencies to engage in early consultations to coordinate their ITIP and RTIP proposals for these projects.